

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RYAN D. FREITAG,

Defendant.

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8:12CR156

ORDER

This matter is before the court on the motions for an extension of time by defendant Ryan D. Freitag (Freitag) (Filing Nos. 27 and 29). Freitag seeks until August 6, 2012, in which to file pretrial motions in accordance with the progression order. Freitag has filed an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act (Filing No. 30). Upon consideration, the motion will be granted.

IT IS ORDERED:

Defendant Freitag's motions for an extension of time (Filing Nos. 27 and 29) are granted. Freitag is given until **on or before August 6, 2012**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motions and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motions, i.e., **the time between July 18, 2012, and August 6, 2012**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 18th day of July, 2012.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge